

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS DEVELOPMENT FINANCE
AGENCY,
Plaintiff,

v.

ADP MARSHALL, INC, a FLUOR DANIEL COMPANY,
and FIREMAN'S FUND INSURANCE COMPANY,
Defendants,

Civil Action No.:
1:04-cv-10203-PBS

ADP MARSHALL, INC.,
Third-Party Plaintiff,

v.

DELTA KEYSpan, INC., R & R WINDOW
CONTRACTORS, INC., ANDOVER CONTROLS
CORPORATION and ALLIED CONSULTING
ENGINEERING SERVICES, INC.,
Third-Party Defendants.

**ASSENTED-TO MOTION OF THE THIRD-PARTY DEFENDANT,
R & R WINDOW CONTRACTORS, INC., TO ENLARGE TIME TO
RESPOND TO THE THIRD-PARTY COMPLAINT OF THE THIRD-
PARTY PLAINTIFF, ADP MARSHALL, INC.**

The third-party defendant, R & R Window Contractors, Inc. ("R & R"), respectfully moves, **with the assent of the third-party plaintiff**, to enlarge the time by which R & R must answer, object or otherwise respond to the third-party plaintiff's Third-Party Complaint from March 15, 2004 up to and including March 31,

2004. Counsel for the third-party plaintiff assented to this motion by telephone on March 17, 2004.

WHEREFORE, R &R requests that this Court allow this Assented-To Motion and enlarge the time to respond to the third-party plaintiff's Third-Party Complaint until March 31, 2004.

The Third-Party Defendant,

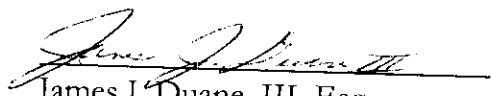
The Third-Party Plaintiff,

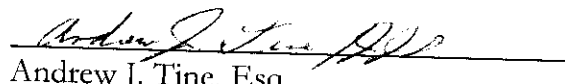
R & R Window Contractors, Inc.

ADP Marshall, Inc.

By its Attorneys,

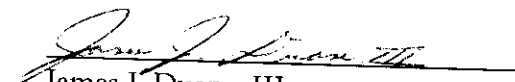
By its Attorneys,


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CERTIFICATE OF Rule 7.1 CONFERENCE AND OF SERVICE

I, James J. Duane, III, Esq. hereby certify that, prior to filing the within motion, I conferred with counsel for the third-party plaintiff concerning said motion, who advised that he assents to said motion. I further certify that on this 19th day of March, 2004. I served a copy of the above motion by mailing same, postage prepaid, to all counsel of record.


James J. Duane, III